

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

JEROME ROSS and)	
ERNESTINE ROSS,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action Number: 2:07-cv-792-WKW
)	
PROGRESSIVE SPECIALTY)	
INSURANCE COMPANY,)	
)	
Defendants.)	

REPORT OF PARTIES' PLANNING MEETING

1. Pursuant to Fed.R.Civ.P. 26(f), a meeting was held on June 17, 2008 at the office of Jerome Ross and Ernestine Ross's attorney in Montgomery and was attended by:

William Abell for the plaintiffs, Jerome Ross and Ernestine Ross;

Larry Bradford for the defendant, Progressive Specialty Insurance Company.

2. Pre-discovery Disclosures. The parties have exchanged the information required by Fed.R.Civ.P. 26(a)(1).

3. Discovery Plan. The parties participating in the planning meeting propose to the court the following discovery plan:

A. Discovery will be needed on the facts of the automobile accident as well as the damages claimed by the plaintiffs.

B. Disclosure or discovery of electronically stored information shall be produced the same as with non-electronically stored information to the extent that information is readily available.

C. The parties participating in the planning meeting have agreed to an order regarding claims of privilege or protection as trial preparation material asserted after production as follows: All materials are deemed to be confidential until the court rules otherwise. The materials can be provided to parties and their experts.

D. All discovery commenced in time to be completed by August 15, 2008.

E. Maximum of 25 interrogatories by each party to any other party. Responses due 30 days after service.

F. Maximum of 15 requests for admission by each party to any other party. Responses due 30 days after service.

G. Maximum of two depositions by each party.

H. Each deposition shall be limited to a maximum of three hours unless extended by agreement of the parties.

I. Reports from retained experts under Rule 26(a)(2) due: The parties are not using retained experts.

Supplementations under Rule 26(e) due 30 days before trial.

4. Other Items.

A. The parties do not request a conference with the court before entry of the scheduling order.

B. The parties request a pretrial conference in September 2008.

C. The plaintiffs are not adding additional parties or amending their pleadings.

D. The defendant is not joining additional parties or amending its pleadings (after its answer to the amended complaint is filed).

E. The parties are not filing dispositive motions.

F. Settlement cannot be evaluated prior to completion of discovery, although the parties have agreed to mediate this case.

G. Final lists of witnesses and exhibits under Rule 26(a)(3) shall be due
from plaintiffs at least 45 days before trial;
from defendant at least 30 days before trial.

H. Parties shall have ten days after service of final lists of witnesses and exhibits to list objections under Rule 26(a)(3).

I. The case shall be ready for trial by October 2008 and at this time is expected to take approximately two days to try.

Date: June 20, 2008.

/s/William K. Abell¹

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Jerome Ross and Ernestine Ross
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Counsel for Defendant,
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¹Signatures may be electronically affixed (i.e. /s/Judith Attorney) and, with consent so stated after the signature, counsel may electronically sign for other counsel.